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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,893	11/30/2001	Richard P. Sinn	21756-012800	4150
51206 7590 03/04/2009 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER TESLOVICH, TAMARA				
ART UNIT 2437		PAPER NUMBER		
MAIL DATE 03/04/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/998,893

Applicant(s)

SINN ET AL.

Examiner

Tamara Teslovich

Art Unit

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49 and 51-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49 and 51-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01.16.09, 08.22.08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to Applicant's Remarks and Amendments filed November 19, 2008.

Claims 1, 8, 16, 21, 27, 32, 38, 4243, 47, 48, and 52 are amended.

Claims 3-6, 18, 19, 20, 30, 40, 45, and 50 remain cancelled.

Claims 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49 and 51-53 are pending and herein considered.

Response to Arguments

Applicant's amendments to claims 42, 47, and 52 serve to overcome the Examiner's previously set forth 35 USC 112 rejections. The rejections have been withdrawn.

Applicant's arguments filed November 19, 2008 regarding the Examiner's 35 USC 102 rejection of the claims have been fully considered but they are not persuasive.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Page 16 of Applicant's arguments begins with a list of limitations which Applicant alleges that Hardy fails to disclose. This listing not only fails to include the exact language of the claims, but fails to point out how it is that the reference and those sections cited by the Examiner fails to teach the alleged limitations. The remainder of page 16 is filled by what appears to be a general characterization of the Hardy reference, followed by a verbatim recitation of the list of limitations appearing earlier on the page. Page 17 of Applicant's remarks consists of a verbatim copy of the second limitation in claim 1, followed by yet another verbatim recitation of the list of limitations appearing twice on page 16. Page 18 of Applicant's remarks consists of what appears to be a copy of claim 38 in its totality, followed by a fourth verbatim recitation of the list of limitations appearing in pages 16-17.

Applicant's remarks fail to clearly point out the patentable novelty of his claims in view of the prior art and Applicant's rejections. Instead Applicant's remarks amount to a general listing of claim limitations, followed by a general allegation that the prior art fails to teach such limitations without referring back to the Examiner's rejection in any way.

It is for the reasons presented above that the Examiner maintains her 35 USC 102 rejection of Applicant's claims, included below in a form to reflect Applicant's amendments.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 7-14, 16, 20-25, 27, and 31-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 16, and 27 recite the limitation "the first". There is insufficient antecedent basis for this limitation in these claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49 and 51-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Hardy et al., U.S. Patent No. 6,073,242.

As per **claim 1**, Hardy discloses a method comprising:

receiving at an Identity System a request for a first certificate related action for a first user wherein the certificate related action is selected from a group consisting of a certificate enrollment action, a certificate renewal action, and a certificate revocation action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44); and

retrieving by the Identity System a first workflow for responding to said request from a plurality of workflows for responding to requests for certificate related actions, wherein each workflow in said plurality of workflows corresponds to a different set of characteristics for a user (col.3 line 54 thru col.4 line 7; col.13 line 44 thru col.14 line 25) wherein the first workflow contains a first set of directives and a second workflow in said plurality of workflows contains a second set of directives, wherein said first set of directives is different from said second set of directives (col.14 lines 7-25), wherein said first workflow calls for obtaining an approval from an entity associated with the first user and identified in a user profile for the first user maintained by the Identity System before performing a certificate related action (col.4 lines 23-26, 39-41), wherein said second workflow does not call for obtaining an approval before performing a certificate related action (col.4 line 57 thru col.5 line 5), wherein said first workflow for responding to said request corresponds to said first certificate related action and a set of characteristics for said first user from the identity profile for the first, the set of characteristics for the first user including a user type for the first user (col.4 line col.16 lines 8-41), and wherein retrieving the first workflow further comprises selecting the first workflow from a plurality of workflows based on the first certificate related action and the user type of the first user (col.13 line 44 thru col.14 line 25).

As per **claim 7**, Hardy discloses receiving said plurality of workflows (col.4 lines 58-67).

As per **claim 8**, Hardy discloses performing said first workflow, wherein performing said first workflow comprises: retrieving an approval response from the entity associated with the first user; and obtaining a certificate (col.4 lines 11-18, 23-45).

As per **claim 9**, Hardy discloses receiving a second request for a second certificate related action for a second user wherein the second certificate related action is selected from a group consisting of a certificate enrollment action, a certificate renewal action, and a certificate revocation action (col.3 line 45 thru col.4 line22);

retrieving the second workflow for responding to said second request from said plurality of workflows, wherein said second workflow corresponds to said second certificate related action and a set of characteristics for said second user from an identity profile for the second user maintained by the Identity System, the set of characteristics including a user type for the second user, and wherein retrieving the second workflow further comprises selecting the second workflow from the plurality of workflows based on the second certificate related action and the user type of the second user (col.3 line 54 thru col.4 line 7; col.13 line 44 thru col.14 line 25; col.16 lines 8-41);

performing said second workflow (col.13 line 44 thru col.14 line 25), wherein performing said second workflow comprises obtaining a second certificate without retrieving an approval response (col.3lines 32-44).

As per **claim 10**, Hardy disclose wherein said first certificate related action is a certificate enrollment action and said second certificate related action is a certificate enrollment action (col.5 lines 42-55; col.11 lines 9-30).

As per **claim 11**, Hardy discloses wherein said first certificate related action is a certificate renewal action and said second certificate related action is a certificate renewal action (col.5 lines 42-55; col.5 lines 42-55; col.11 lines 9-30).

As per **claim 12**, Hardy discloses performing said first workflow, wherein said first certificate related action is a certificate enrollment action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44) and wherein performing said first workflow comprises obtaining a certificate, wherein obtaining the certificate comprises authenticating said first user, forwarding said request to a Certificate Processing Server, receiving said certificate, and storing said certificate (col.5 lines 42-55; col.11 lines 9 thru col.12 line 49).

As per **claim 13**, Hardy discloses performing said first workflow, wherein said certificate related action is a certificate renewal action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44) and wherein performing said first workflow comprises obtaining a certificate renewal, wherein obtaining the certificate renewal comprises authenticating said first user, forwarding said request to a Certificate

Processing Server, and receiving a certificate renewal acknowledgement (col.5 lines 42-55; col.11 lines 9 thru col.12 line 49).

As per **claim 14**, Hardy discloses performing said first workflow, wherein said certificate related action is a certificate revocation action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44) and wherein performing said first workflow comprises revoking a certificate, wherein revoking the certificate comprises authenticating said first user, and forwarding said request to a Certificate Processing Server (col.5 lines 42-55; col.11 lines 9 thru col.12 line 49).

Claim 16 is directed towards a system's implementation of the method of claim 1 and is rejected by similar rationale.

Claim 20 is directed towards a system's implementation of the method of claim 7 and is rejected by similar rationale.

Claims 21 and 22 are directed towards a system's implementation of the method of claims 9 and 10 and are rejected by similar rationale.

Claims 23-25 are directed towards a system's implementation of the method of claims 12-14 and are rejected by similar rationale.

Claim 27 is directed towards an apparatus' implementation of the method of claim 1 and is rejected by similar rationale.

Claim 31 is directed towards an apparatus' implementation of the method of claim 7 and is rejected by similar rationale.

Claims 32 and 33 are directed towards an apparatus' implementation of the method of claims 9 and 10 and are rejected by similar rationale.

Claims 34-36 are directed towards an apparatus' implementation of the method of claims 12-14 and are rejected by similar rationale.

Claim 38 is directed towards the method of claim 1 and is rejected by similar rationale.

Claims 39 is directed towards the method of claim 7 and is rejected by similar rationale.

Claim 41 is directed towards a broader form of the method of claims 10 and 11 and is rejected by similar rationale.

As per **claim 42**, Hardy discloses wherein receiving the first request, retrieving the first workflow, performing the first workflow, receiving the second request, retrieving the second workflow, and performing the second workflow are performed by an Identity system in communication with an Access System (col.3 lines 45-56).

Claim 43 is directed towards a system's implementation of the method of claim 1 and is rejected by similar rationale.

Claim 44 is directed towards a system's implementation of the method of claim 7 and is rejected by similar rationale.

Claim 46 is directed towards a broader form of a system's implementation of the method of claims 10 and 11 and is rejected by similar rationale.

As per **claim 47**, Hardy discloses wherein receiving the first request, retrieving the first workflow, performing the first workflow, receiving the second request, retrieving the second workflow, and performing the second workflow are performed by an Identity system in communication with an Access System (col.3 lines 45-56).

Claim 48 is directed towards an apparatus's implementation of the method of claim 1 and is rejected by similar rationale.

Claim 49 is directed towards an apparatus' implementation of the method of claim 7 and is rejected by similar rationale.

Claim 51 is directed towards a broader form of an apparatus' implementation of the method of claims 10 and 11 and is rejected by similar rationale.

As per **claim 52**, Hardy discloses wherein receiving the first request, retrieving the first workflow, performing the first workflow, receiving the second request, retrieving the second workflow, and performing the second workflow are performed by an Identity system in communication with an Access System (col.3 lines 45-56).

As per **claim 53**, Hardy discloses applying a Lightweight Directory Access protocol (LDAP) filter to attributes of the identity profile for the first user (col.5 lines 52-56; col.9 lines 54-56; Fig 2A).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2437

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